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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/992,809	11/19/2001	Robert Kelly Mulhern	E0019/261139	7341

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JOHN S. PRATT, ESQ
KILPATRICK STOCKTON, LLP
1100 PEACHTREE STREET
SUITE 2800
ATLANTA, GA 30309

EXAMINER

ALAUBAIDI, HAYTHIM J

ART UNIT	PAPER NUMBER
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2171

DATE MAILED: 04/23/2004

3

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/992,809

Applicant(s)

MULHERN ET AL.

Examiner

Haythim J. Alaubaidi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-53 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16, 18-26, 28-31 and 33-53 is/are rejected.
- 7) ☒ Claim(s) 17, 27 and 32 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>2</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is a first Non-Final Office Action in response to Application No. 09/992,809 filed on November 19, 2001.
2. Claims 1-53 are presented for examination, of which claims 1, 9, 18, 28, 33, 36, 39, 42, 45, 48 are Independent Claims.
3. Claims 1-8, are rejected under 35 U.S.C. 112, second paragraph, as being incomplete.
4. Claims 2 and 8, are rejected under 35 U.S.C. 112, second paragraph, as being indefinite.
5. Claims 28-32 and 45-47 are rejected under 35 U.S.C. 101.
6. Claims 17, 27, 32 are objected to as being dependent upon a rejected base claim.
7. Claims 1-16, 18-26, 28-31 and 33-53 are rejected under 35 U.S.C. 103(a).

Claim Rejections - 35 USC § 112

8. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

9. Claims 1-8, are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential steps, such omission amounting to a gap between the steps. See MPEP § 2172.01. The omitted step can be something like: Receiving said a customer file or Receiving the customer file from the information buyers.

This step should be inserted as the 4th limitation, after the step of "storing a plurality of processed record entries...etc"; and before the step of "comparing the content of the customer file...etc". The Examiner believes that it is essential to first receive the customer file including its content from the information buyers in order to perform the comparison between its content and the content of the universe database as indicated in the limitation of "comparing the content...etc".

10. Claims 2 and 8, are rejected under 35 U.S.C. 112, second paragraph, as being indefinite.

The term "stable over a period of time" or "stable over another period of time" in claim 2 and other claims throughout the Application is a relative term, which renders the claim indefinite. The term "is stable over a period of time" or "is stable over another period of time" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. Unique ID's by nature are stable and meant to be stable and should not be change that often, as they are primarily used to refer to a structure, record or documents of some sort.

The term "near real-time" in claim 8 and other claims throughout the Application is a relative term, which renders the claim indefinite. The term "near real-time" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of

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the scope of the invention as to how near real-time is? and whether the transmitting of the information is in real-time or not.

Claim Rejections - 35 USC § 101

11. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

12. Claims 28-32 and 45-47 are rejected under 35 U.S.C. 101 because these claims states abstract ideas rather than concrete embodiments, such as a computer processor system. Independent Claim 28 is directed to file updating which could be interpreted as a manual process to update paper files and folders. Independent Claim 45 is directed towards information management, which could be interpreted the same way Claim 28 was interpreted.

Examiner's Term Interpretations

Instant Application

Morgan's Patent

- | | | |
|---------------------|---|---|
| - universe database | = | data vendor's central database |
| - UUID | = | Unique persistent key for central database records |
| - UCID | = | Unique persistent key for customer database records |

Claim Rejections - 35 USC § 103

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claims 1-16, 18-26, 28-31 and 33-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Charles D. Morgan (U.S. Patent No. 6,073,140 and Morgan hereinafter).

Regarding Claims 1, 3, 6, 9, 11, 18-19, 28, 30, 33, 36, 38-39, 42, 45, 48 and 50-51, Morgan discloses:

receiving raw data corresponding to at least one event generating entity (Col 1 Lines 38-50; see also Col 3, Lines 53-61)

processing the raw data and generating at least one processed record entry (Col 3, Line 54 and 57-61, i.e. data structure; see also Col 1 Lines 38-50)

storing a plurality of processed record entries in a universe database (Figure 1, Element No. 114, and corresponding text; see also Col 1 Lines 38-50)

each record entry being associated with a unique universe identifier ("UUID")¹ (Figure 1, Element No. 114, and corresponding text; see also Col 3, Lines 52-54)

comparing the content of the customer file with the content of the universe database (Col 3, Lines 61-64; see also Col 11, Lines 38-42)

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generating a matched customer file (Col 6, Lines 53-59; See also Col 10, Lines 27-36)
assigning a unique customer number ("UCID")² for each record entry contained in the customer file (Col 5, Lines 7-8; see also Col 10, Lines 13-26)
associating each UCID with a corresponding UUID (Abstract, see also Col 5, Line 59 through Col 6, Line 3; see also Col 12, Lines 62-67, i.e. join table)³
and updating a portion of at least one record entry in the matched customer file with information contained in the processed record entry associated with the UUID corresponding to the UCID associated with the at least one record entry (Col 3, Lines 35-51; see also Col 7, Lines 11-20).

Morgan's reference discloses all of the claimed subject matter set forth above, except it does not explicitly indicate the generating of a non-matched customer file. However, given the nature of database searching, the Examiner takes Official Notice that it was well known in the art to generate a non-match list when a database conducts a search according to criteria will generate a match list; on the other hand all other records that were not included in this match list will be part of a non-match list. Hence, Including a non-match list in Morgan would have been obvious to one of ordinary skill in the art at the time the invention was made. As such, a list (non-matching list) may be

¹ The Examiner is interpreting the "UUID" to be similar to the persistent keys for records in the vendor's database, also referred to as the "center database" (universe database).

² The Examiner is interpreting the "UCID" to be similar to the persistent keys for records in the data customer's customer database.

The Examiner is interpreting both ID's to be the same as the persistent key; as the Morgan reference is disclosing a persistent key for records in the central database, which is the vendor's database (universe database); and the other persistent key for records in the customer database.

Please note that these persistent keys are unique (Morgan, Col 3, Lines 52-64).

useful in increasing sales, in this case sales of data relating to entities, for example, individuals or consumers to those who are interested (data purchasers) especially since they don't have this list. Another good reason would be for marketing research; as a data purchaser would like to have an idea or compare the matching list to the non-matching list relating to a certain criteria in order to make better decisions; for example, deciding on promoting a certain product in a certain geographic location, does the majority of the residence of this location make enough income to actually afford such an item or product (Morgan, Col 1, Lines 52-57).

Regarding Claims 2, 26, 31, 34, 37, 40, 44, 46 and 49, Morgan discloses wherein each UUID and UCID are stable over a period of time (Col 4, Line 66 through Col 5, Line 6; see also Col 5, Lines 48-51).

Regarding Claim 4, Morgan discloses wherein the action of comparing the content of the customer file with the content of the universe database comprises organizing the record entries in the customer file per person (Col 10, Lines 13-26) i.e.

Key field 612 is chosen as that field from each record that can be easily used to match the record on customer database 210 that contains complementary information. For example, if central database 224 maintains a record with all known information on individual John Doe, the key field 612 from that record might be the last name field, "Doe."

³ Please note that the Examiner is taking into consideration dependent Claim 6 in interpreting this

Regarding Claims 5, 13-16, 20-22 and 24-25, Morgan discloses wherein the action of comparing the content of the customer file with the content of the universe database comprises using public domain identity data common to the customer file and the universe database (Col 5, Lines 59-64; see also Col 9, Lines 44-60; see also Col 5, Lines 18-24, i.e. such as direct satellite links).

Regarding Claims 7-8, 12, 23 and 52-53, Morgan discloses wherein the action of updating a portion of at least one record entry is accomplished using a batch mode or near real-time (Col 13, Lines 17-24).

Regarding Claim 10, the limitations of this claim is similar in scope to the rejected claims 1 and 2, above. It is therefor rejected as set forth above.

Regarding Claim 29, Morgan discloses wherein each set of the UCID's is different from another set of the UCID's (Col 5, Lines 29-38; see also Col 4, Lines 6-22).

Regarding Claims 35 and 41, the limitations of this claim has been noted in rejecting claim 6, above. In addition, Morgan discloses wherein the UCID's are updated with a new UCID's (Col 11, Lines 15-27)⁴.

Regarding Claims 43 and 47, Morgan discloses wherein the action of transferring the at least one data file occurs after determining the state of an attribute (version number) associated with the at least one data file (Col 11, Lines 15-27).

limitation for associating these keys.

Allowable Subject Matter

15. Claims 17, 27, 32 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

16. The following is the Examiner's statement of reasons for the indication of allowable subject matter:

Regarding Claims 17, 27 and 32 Applicant's particular system and associated in the environment of updating customer files with unique ID's is the combination of updating the transferred UCID with a new UCID; associating the new UCID with a UUID; and generating a conversion table providing a mapping between the new UCID and the UUID associated with the new UCID in combination with the other limitations of the claims, was not disclosed by, would not have been obvious over, nor would have been fairly suggested by the prior art of record or that encountered in searching of the prior art.

Other Prior Art Made of Record

17. a. Armatis et al. (U.S. Patent No. 6,697,822) discloses a method of maintaining database records;

⁴ The version number is changing, and since the version number is part of the persistent key, then the persistent key is being changed to a new one.

b. Hirashima et al. (U.S. Patent No. 6,651,070) discloses a client/server database system;

c. Jeffries (U.S. Patent No. 6,633,879) discloses a method and system for optimizing direct tables and trees;

d. Proctor (U.S. Patent No. 6,490,593) discloses an apparatus and method for compound on-line analytical processing in databases;

e. Williams et al. (U.S. Patent No. 6,415,289) discloses a network information control method utilizing a common command format and a centralized storage management system;

f. Raghavan et al. (U.S. Patent No. 6,405,208) discloses a dynamic recursive build for multidimensional databases and methods and apparatus thereof;

g. Lamburt et al. (U.S. Patent No. 6,397,228) discloses a data enhancement techniques; and

h. Proctor (U.S. Patent No. 6,289,352) discloses an apparatus and method for compound on-line analytical processing in databases.

Conclusion

18. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.

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Points of Contact

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haythim J. Alaubaidi whose telephone number is (703) 305-1950. The examiner can normally be reached on Monday - Friday from 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached on (703) 308-1436.


Any response to this office action should be mailed to:

The Commissioner of Patents and Trademarks, Washington, D.C. 20231 or telefax at our fax number (703) 872-9306.

Hand-delivered response should be brought to Crystal Park II, 2121 Crystal Drive, 6th Floor Receptionist, Arlington, Virginia. 22202.

Haythim J. Alaubaidi

Patent Examiner
Technology Center 2100
April 15, 2004


SAFET METJAHIC
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100